

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION**

**ALYSSON MILLS, IN HER CAPACITY  
AS RECEIVER FOR ARTHUR LAMAR  
ADAMS AND MADISON TIMBER  
PROPERTIES, LLC,**

**PLAINTIFF**

**VS.**

**CIVIL ACTION NO.: 3:19-cv-196-CWR-FKB**

**BANKPLUS; BANKPLUS WEALTH  
MANAGEMENT, LLC; GEE GEE  
PATRIDGE, VICE PRESIDENT AND CHIEF  
OPERATING OFFICER OF BANKPLUS;  
STEWART PATRIDGE; JASON COWGILL;  
MARTIN MURPHREE; MUTUAL OF  
OMAHA INSURANCE COMPANY; and  
MUTUAL OF OMAHA INVESTOR  
SERVICES, INC.**

**DEFENDANTS**

**MUTUAL OF OMAHA INVESTOR SERVICES, INC.'S  
MOTION TO DISMISS, OR, IN THE ALTERNATIVE, FOR PARTIAL DISMISSAL**

Mutual of Omaha Investor Services, Inc. ("MOIS") pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, while reserving any and all other affirmative defenses, including the right to compel arbitration, hereby moves to dismiss the Complaint against it for the reasons set forth in its separate memorandum brief in support of this motion, or alternatively, to dismiss some of the claims against it.

WHEREFORE, PREMISES CONSIDERED, Mutual of Omaha Investor Services, Inc. hereby moves pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure to dismiss the Complaint and all claims asserted therein against it, or, in the alternative, partial dismissal.

This, the 3<sup>rd</sup> day of June, 2019.

Respectfully submitted,

**MUTUAL OF OMAHA INVESTOR SERVICES, INC.**

By: s/Kelly D. Simpkins  
Kelly D. Simpkins (MSB #9028)  
Their Attorney

OF COUNSEL:

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